

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of

Delaware

PLAINTIFF

STENIO AND RAQUEL DESOUZA

V. DEFENDANT AND THIRD PARTY PLAINTIFF

THIRD PARTY SUMMONS IN A
CIVIL ACTION

J.N. CARPENTRY, INC., ET AL

Case Number: 05-781 SLR

V. THIRD PARTY DEFENDANT

SEGOES CARPENTRY, INC. AND
LAYNE THOMAS BUILDERS, INC.

To: Name and address of Third Party Defendant

Layne Thomas Builders, Inc.
120 West Market Street
Suite B

Wilmington, DE 19804

YOU ARE HEREBY SUMMONED and required to serve on

PLAINTIFF'S ATTORNEY (name and address)

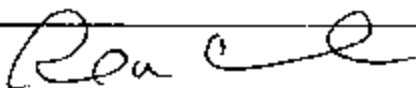
Gary Aber, Esq.
Aber Goldlust Baker & Over
First Federal Plaza
Wilmington, DE 19899DEFENDANT AND THIRD PARTY PLAINTIFF'S ATTORNEY
(name and address)Armand J. Della Porta, Jr., Esq.
Marshall Dennehey Warner Coleman
& Goggin
1220 N. Market Street
Wilmington, DE 19899

an answer to the third-party complaint which is served on you with this summons, within 20 days after the service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default may be taken against you for the relief demanded in the third-party complaint. There is also served on you with this summons a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

DEC 19 2007

CLERK



DATE

(By) DEPUTY CLERK

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RETURN OF SERVICE

Service of the Summons and complaint was made by me(I)	DATE 12/28/07
NAME OF SERVER (PRINT) DENORRIS BRITT	TITLE SPECIAL PROCESS SERVER

Check one box below to indicate appropriate method of service

☒ Served personally upon the defendant. Place where served: 120 WEST MARKET ST. STE. B WILMINGTON, DE 19804. LEFT PAPERS WITH PERSON IN CHARGE OF OFFICE AT TIME OF SERVICE

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: _____

☐ Returned unexecuted: _____

☐ Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 12/28/07

Date

Signature of Server

BRANDYWINE PROCESS SERVERS, LTD.
 P.O. BOX 1360
 WILMINGTON, DE 19899-1360
 302-475-2600